

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD RIOS HERRERA,	)	No. C 15-05161 EJD (PR)
	)	
Petitioner,	)	ORDER OF TRANSFER
	)	
v.	)	
	)	
DAVID B. LONG,	)	
	)	
Respondent.	)	

Petitioner, a state prisoner at California City Correctional Facility, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging the Board of Parole's denial of his request for early release. Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). Here, petitioner is not challenging his conviction but the denial of his request for parole. Because petitioner is currently incarcerated in Kern County, which lies within the venue of the Eastern District of California, venue properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. See 28 U.S. C. § 1406(a).

The Clerk shall terminate all pending motions and transfer the entire file to the Eastern District of California.

DATED: 1/14/2016

  
EDWARD J. DAVILA  
United States District Judge